

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

IN RE:

KAWIKA TREVICE WORRELL and
CAMILLE LIZETTE WORRELL AKA
CAMILLE LIZETTE PHIFER,

Debtor.

CASE NO. 18-51776-pmb

CHAPTER: 13

JUDGE: HONORABLE PAUL BAISIER

OBJECTION TO CONFIRMATION OF PLAN AND MOTION TO DISMISS CASE

COMES NOW DP Atlanta, LLC, (hereinafter known as "Creditor"), a secured creditor holding a Security Deed on real property commonly known as 2555 Flat Shoals Road, #3005, Atlanta, GA 30349, and for the reasons stated below, objects to confirmation of the Plan and moves to dismiss this case, as follows:

1. Creditor anticipates filing a pre-petition arrearage claim in the approximate amount of \$12,661.82, more particularly described in the proof of claim once filed. The plan calls for an estimated pre-petition arrearage amount of \$4,860.00 with monthly disbursements on this claim in the amount of \$50.00 increasing to \$110.00 to start October, 2019. Debtor has underestimated the amount of the arrearage due to the Creditor. As such, the Plan will exceed 60 months, contrary to 11 U.S.C Section 1322 (d)(2).

2. Creditor reserves the right to raise the failure of Debtor to have made post-petition payments, if at confirmation that appears to be the case.

WHEREFORE, Creditor prays that the Court deny confirmation of the Plan and moves to dismiss this case. Creditor prays for reasonable attorney's fees and for such other and further relief as is just and equitable.



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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify under penalty of perjury that I am, and at all times hereinafter mentioned, was more than 18 years of age, and that on the May 24, 2018, I served a copy of OBJECTION TO CONFIRMATION OF PLAN AND MOTION TO DISMISS CASE which was filed in this bankruptcy matter on the May 24, 2018, in the manner indicated:

The following parties have been served via e-mail:

Howard P. Slomka
se@myatllaw.com

Melissa J. Davey
mail@13trusteeatlanta.com

The following parties have been served via U.S. First Class Mail:

Kawika Trevice Worrell
2555 Flat Shoals Rd
#3005
Atlanta, GA 30349

Camille Lizette Worrell
2555 Flat Shoals Rd
#3005
Atlanta, GA 30349

**I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
AND CORRECT.**

Dated: May 24, 2018

Signature: /s/Justin N. Wade

Printed Name: JUSTIN N. WADE

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